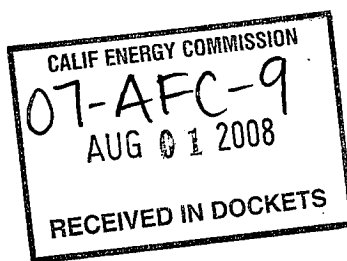


GALATI | BLEK LLP

Plaza Towers  
555 Capitol Avenue Suite 600  
Sacramento CA 95814  
Tel • 916.441.6575  
Fax • 916.441.6553



August 1, 2008

Ms. Angela Hockaday  
California Energy Commission  
Docket Unit  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S  
OBJECTIONS TO DATA REQUEST NO.S 56, 57, and 58  
DOCKET NO. 07-AFC-9**

Dear Ms. Hockaday:

Enclosed for filing with the California Energy Commission are one (1) original and twelve (12) copies of the **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S OBJECTIONS TO DATA REQUEST NO.S 56, 57, and 58**, for the Canyon Power Plant Energy Project (07-AFC-9).

Sincerely,

  
Marguerite Cosens

Scott A. Galati  
David Wiseman  
GALATI & BLEK  
555 Capitol Mall, Suite 600  
Sacramento, CA 95814  
(916) 441-6575

STATE OF CALIFORNIA

Energy Resources  
Conservation and Development Commission

In the Matter of:

Application for Certification for the  
Canyon Power Plant

**DOCKET NO. 07-AFC-9**

**SOUTHERN CALIFORNIA PUBLIC  
POWER AUTHORITY'S (SCPPA)  
OBJECTIONS TO DATA REQUESTS  
FROM THE CALIFORNIA ENERGY  
COMMISSION STAFF**

SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY (SCPPA) hereby files  
the following Objections to Staff issued Data Request No.s 56, 57 and 58 dated July 15,  
2008.

**GENERAL OBJECTIONS**

In accordance with the California Code of Regulations section 1716(f), the SCPPA  
objects to California Energy Commission (CEC) Staff issued Data Request No.s 56, 57,  
and 58 for the reasons stated hereinafter. Staff issued Data Request No.s 57 and 58  
are immediately ancillary and wholly dependent upon the validity and relevance of Data  
Request No. 56. Data Request No. 56 seeks information which is neither reasonably  
available to SCPPA nor reasonably necessary to make any decision on the Canyon  
Power Plant's (CPP) Application for Certification (AFC). In addition to the distinctive

non-relevant character of the information sought, obtaining the information requested would be extremely burdensome and a costly use of public funds.

### **SPECIFIC OBJECTIONS**

In addition to the General Objections, SCPPA has the following specific objections to CEC Staff's Data Requests.

#### **Data Request No. 56**

Please have a qualified geoarchaeologist (able to demonstrate the completion of graduate-level coursework in geoarchaeology or Quaternary science) research the project area and propose a research design to:

- a. Efficiently sample those areas of the site where project excavations would extend into native soils;
- b. Acquire data to determine the precise physical character and ages of the various sedimentary deposits and paleosols beneath the surface in those parts of the proposed project site where the maximum depths of excavation into native soils would be reached;
- c. Acquire data to determine the depositional rates for the sedimentary facies at the project site; and
- d. Provide an interpretation of the field data that addresses the historical geomorphology of the project area, the likelihood of there being buried archaeological deposits there, and the anticipated age, cultural affiliation, and significance of any such deposits.

#### **Objection to Data Request No. 56**

All general objections are hereby incorporated by reference into this section.

///

///

Data Request No. 57

Please submit the resume (including copies of graduate course transcripts) of the geoarchaeologist and the research design to staff for review and approval.

Objection to Data Request No. 57

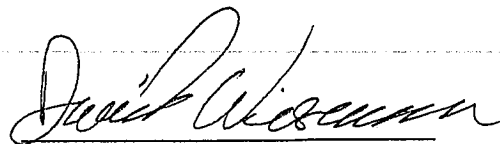
While SCPPA agrees a Cultural Resource Specialist may be required to work on permitting, compliance or other matters in connection with the permitting, construction and/or operation of the CPP, a specific geoarchaeologist is not needed for CEC Staff to complete their Cultural Resources analysis. Consistent with the required information needs of Staff in past siting cases, this information is not reasonably necessary for Cultural Staff to complete and conduct a competent and comprehensive analysis. All objections to Data Request No.s 56 and 58 are hereby incorporated by reference.

Data Request No. 58

When a geoarchaeological research design for the proposed site has been approved by staff, please have the author of the research design conduct the approved testing and submit a report to staff.

Objection to Data Request No. 58

The geoarchaeological research design would be required in the event SCPPA were to gather, and provide the information requested. The information to be obtained from this Data Request is not reasonably necessary for Cultural Staff to complete and conduct a competent and comprehensive analysis. All objections to Data Request No.s 56 and 57 are hereby incorporated by reference.

A handwritten signature in black ink, appearing to read "David Wiseman", written over a horizontal line.

David Wiseman  
Counsel for CPP

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE  
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION  
For the *CANYON POWER PLANT*  
PROJECT

Docket No. 07-AFC-9

PROOF OF SERVICE  
(REVISED 7/24/2008)

**INSTRUCTIONS:** All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

**\* CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 07-AFC-9  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**APPLICANT**

Southern California Public Power  
Authority (SCPPA)  
c/o City of Anaheim  
Public Utilities Department  
Steve Sciortino, Project Manager  
201 S. Anaheim Blvd, Suite 802  
Anaheim, CA 92805  
[ssciortino@anaheim.net](mailto:ssciortino@anaheim.net)  
[swilson@anaheim.net](mailto:swilson@anaheim.net)

**APPLICANT CONSULTANT**

URS Corporation  
Cindy Poire, Project Manager  
130 Robin Hill Road, Suite 100  
Santa Barbara, CA 93117  
[cindy\\_poire@urscorp.com](mailto:cindy_poire@urscorp.com)

**COUNSEL FOR APPLICANT**

Scott Galati  
Galati & Blek, LLP  
555 Capitol Mall, Suite 600  
Sacramento, CA 95814  
[sgalati@gb-llp.com](mailto:sgalati@gb-llp.com)

**INTERESTED AGENCIES**

\*California ISO  
P.O. Box 639014  
Folsom, CA 95763-9014  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

## **ENERGY COMMISSION**

Jeffrey D. Byron  
Commissioner and Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

Arthur Rosenfeld  
Commissioner and Associate Member  
[arosenfe@energy.state.ca.us](mailto:arosenfe@energy.state.ca.us)

Paul Kramer  
Hearing Officer  
[Pkramer@energy.state.ca.us](mailto:Pkramer@energy.state.ca.us)

Che McFarlin  
Project Manager  
[cmcfarli@energy.state.ca.us](mailto:cmcfarli@energy.state.ca.us)

Deborah Dyer  
Staff Counsel  
[ddyer@energy.state.ca.us](mailto:ddyer@energy.state.ca.us)

Public Adviser's Office  
[pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)

## **DECLARATION OF SERVICE**

I, Marguerite Cosens, declare that on August 1, 2008, I deposited copies of the attached **SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY'S OBJECTIONS TO DATA REQUEST NO.S 56, 57, and 58** in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Marguerite Cosens